



115/770
5.29.02
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James E. GALEN

Appln. No.: 09/993,292

Filed: November 23, 2001

For: USE OF ClyA HEMOLYSIN FOR EXCRETION OF PROTEINS

Conf. No.: 5386

Group Art Unit: 1645

Examiner: Unknown TECH CENTER 1600/2900

MAY 22 2003

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SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents, along with the International Search Report dated May 6, 2003, is submitted herewith.

The present Supplemental Information Disclosure Statement is being after three months from the application's filing date for an application other than a Continued Prosecution Application (CPA) under §1.53(d), but before the mailing date of the first Office Action on the merits. Therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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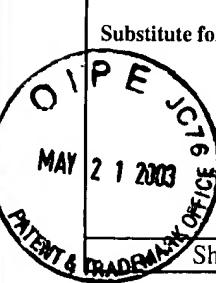
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PATENT TRADEMARK OFFICE

Respectfully submitted,


Drew Hissong
Registration No. 44,765

Date: May 21, 2003



Substitute for Form 1449 A & B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of 1

Complete if Known

Application Number	09/993,292
Confirmation Number	5386
Filing Date	November 23, 2001
First Named Inventor	James E. GALEN
Art Unit	1645
Examiner Name	Unknown
Attorney Docket Number	A8461

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 5,731,151		03/24/1998	Mundayoor et al

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	94 28137		12/08/1994	Mundayoor et al	
		WO	01 75067		10/11/2001	Hyseq Inc.	

OTHER ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		Tzschaschel et al, <i>Nature Biotechnology</i> , 14:765-769 (1996)	
		Gentsch et al, <i>Behring Institute Mitteilungen</i> , 98:103-113 (1997)	
		Ryan et al, <i>Infection and Immunity</i> , 65(7):2941-2949 (1997)	
		Hahn et al, <i>FEMS Immunology and Medical Microbiology</i> , 20(2):111-119 (1998)	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.